

BOARD OF TRUSTEES
REGULAR MEETING
Aug 16, 2016
6:30 P.M.

Board Members Present:

Mayor David Gregg
Mayor Pro-Tem Chris Buckridge
Trustee Jeff Hindman
Trustee William Karspeck
Trustee Brian Laak
Trustee Jennifer Baker
Trustee Kelly Dunkelberger

Staff Members Present:

Town Administrator Mike Hart
Town Clerk Alisa Darrow
Town Attorney Representative Peter Linder
Accounting Technician Carla Gustafson
Director of Parks and Recreation Jeremy Olinger
Town Forester Josh Embrey
Community development Director Curt Freese
Senior Accountant Cindy Leach
Police Chief Jim Anderson
IT Specialist Dell Hunter
Public Information Officer Claire Bouchard

Mayor Gregg led the Pledge of Allegiance.

Oath of Office

Town Clerk Alisa Darrow administered Steve Mulvihill's oath of office as Mayor of the Town of Berthoud.

Recognition of Outgoing Mayor David Gregg

Town Clerk Alisa Darrow presented David Gregg with parting gifts in appreciation and remembrance of his service to the community and support of staff. Everyone was invited to stay for refreshments directly following the meeting.

Citizen Participation

Becky Hemmann of 440 Mountain Ave/Berthoud Surveyor, requested transparency from Board Members and asked the Board to consider directing staff to provide all of their emails on the

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Town's website so the citizens of Berthoud can know what kind of business the Trustees are working on.

Tim Hardy of 740 8th Street, expressed concerns about mosquito spraying in town and that Colorado Mosquito Control was deciding when spraying would be necessary. He would like more communication to notify citizens before spraying occurs and suggested mosquito control efforts be focused on problem areas around town. He also had concerns about the long-term effects on native bee and butterfly species.

Alan Wadleigh of 865 Bruce Drive, stated his wife is highly sensitive to chemicals and recently moved to Berthoud because they believed the Town did not spray for mosquitos. He agrees with Mr. Hardy that better notification is needed and Colorado Mosquito Control should not decide when spraying is needed. Mr. Wadleigh also mentioned he believes spraying is ineffectual and larvicide would work better in controlling mosquitoes. He stated his preference is larvicide and self-reliance.

Stephanie Cooper of 627 Munson Ct, commented the odds of getting West Nile are slim and the long- term effects greatly outweigh the short-term benefits. She would like to know whose decision it was to spray instead of using larvicides. She asked to postpone spraying for further review and community input.

Jeremy Franz of 527 9th Street, stated his research showed spraying is not the most effective way to control mosquitoes. He urged the Board to reopen resolution 16-15 and re-evaluate methods and triggers in regards to mosquito control. He agrees with previous citizens that there is a conflict of interest with Colorado Mosquito Control.

Shannon Franz also of 527 9th Street, voiced concern for insects, children and animals exposed to chemicals used for mosquito control. She explained there is no way to cover her property when spraying occurs. She would also like to revisit resolution 16-15 to come up with a better solution.

Lynette Ludwig of 1631 Glacier Ave, was surprised to hear fogging would occur. She mentioned not seeing any butterflies or dragonflies the morning after. She would like the Board to look into other options to prevent the West Nile Virus such as larvicide. She would also like to re-open resolution 16-15.

Mayor Mulvihill asked Board members to give a brief reply to citizen concerns.

Trustee Hindman responded that Board member emails are public and available by submitting a Public Records Request at Town Hall. He expressed concern with spraying and wondered what the effect would be on animals that are out at night, such as bats. He would like to revisit the mosquito spray policy and consider alternatives. He suggested earlier notification and other options such as a reverse 911 for alerting the public. Mr. Hindman would like the topic scheduled on an agenda for reconsideration.

Trustee Baker asked what the procedure was if a citizen would like to see a Board members e-mails and was advised a Public Records Request would need to be submitted. Town Clerk Alisa Darrow added that the time involved depended on the scope of the request. It could be 5 minutes to hours.

Administrator Hart explained the new issue is that other towns have begun to automatically post Board members emails to their websites, and that is the change being requested.

Trustee Baker also recalled that when resolution 16-15 was before the Board in 2015 many people came to the meeting who were in favor of spraying. The decision to spray only during an emergency was the most conservative option at the time and mentioned the Town does use larvicide as a method of mosquito control. In addition, when the Resolution was before the Board a lot of research on the effects of the chemicals was done. Ms. Baker agreed the resolution does need to be revisited to address communication in an emergency spray event.

Mayor Pro-Tem Buckridge remarked that there is misinformation out there. He explained that the Town does use larvicide and does take care of areas that may be breeding grounds for mosquitoes. Educational material on mosquito mitigation is posted on the Town's website and included in utility billings. He also commented on the rumor that the Town has given up control and that is not true. Colorado Mosquito Control (CMC) does not make the decision on when to spray. It was decided that the Town would not do any spraying unless it was an emergency. The triggers set by the resolution were critical because the threat from West Nile far outweighed any other threat out there. Information was heard from the Health Dept, Mosquito control, bee keepers and organic gardeners. Fogging was the last resort option considered. This is the first time fogging has been done since the Resolution was passed and it is because Larimer County Health deemed it a real and imminent health threat. Mr. Buckridge agreed the communication was inadequate and needs to be addressed.

Trustee Karspeck shared that several years ago his mother contracted West Nile and has recovered although a friend west of town who also contracted it became paralyzed because of it. The focus should be on the virus and public safety. He stated he would like to get more information on what we can do to minimize the effect on bees without drawing back, making humans more susceptible to the West Nile Virus. He would like to revisit the issue to improve Communication and explore other possible options for mosquito control.

Trustee Dunkelberger shared that she had West Nile several years ago and still feels effects from it such as a lower immune system that caused her to experience harsher symptoms when she contracted other viruses now. She also has several friends who have had it who became very sick. She reported seeing airplanes spraying agricultural fields near town and remarked that what they were spraying was probably more harmful than the mosquito spray. She also reported seeing many dragonflies and other insects flying about right before the meeting.

Trustee Laak stated it is a balancing act to protect the community as well as gardens. He commented that it is an educational/public outreach issue to eliminate breeding grounds around town. Because our knowledge of the chemicals used is always changing and the need for better communication was an issue, he would like to revisit the policy.

Administrator Hart answered concerns regarding the role CMC played in mosquito control. He explained CMC sets the traps, collects the data and sends it to CSU for testing. CMC does not tell us when to pull the trigger, they will send red flags up when a problem is detected. The trigger is the Director of Public Health from Larimer County. Mr. Hart was not sure if there is a choice when that person says it is time to spray because it is a public health risk, but it is something that can be

looked into. He reiterated that the trigger does not come from the Town or CMC, it is the Director of Public Health at Larimer County and CMC does not both collect and test the data. He also mentioned the Town already has a strong larvicide program in place.

Mayor Mulvihill addressed the issue by saying this is not an easy decision. It was decided a year ago and was not decided lightly. Based on public input and the input of the Board it is reasonable that the issue will be discussed and brought back as an agenda item in the future.

Trustee Hindman recalled a previous speaker mentioned there could be spaying again in the next week, and asked if that was correct.

Administrator Hart replied he has not heard of anything like that but the Director of Public Health at Larimer County would make the call.

Mayor Pro-Tem Selection

Mayor Mulvihill announced Chris Buckridge as his recommendation for Mayor-Pro Tem.

Trustee Hindman moved to appoint Trustee Buckridge as Mayor Pro Tem until the next Municipal Election to be held on April 3, 2018. Trustee Laak seconded, and the motion passed 7:0.

Mayor Mulvihill called for a five-minute recess at 7:30.

Consent Agenda

The Consent Agenda consisted of the July 26, 2016 meeting minutes, June financial statement, and bills allowed.

Trustee Hindman moved to approve the Consent Agenda. Trustee Laak seconded the motion, and the motion passed 7:0.

Historic Landmark Designation

Community Development Director Curt Freese presented information from The Historic Preservation Advisory Committee who unanimously recommended approving a local historic landmark designation for property located at 735 5th Street, also known as the "Culp House". Resident and owner Heidi Short spoke about the historic significance of the home and pointed out it is an east coast bungalow style home not often seen in this area. A resolution came before the Board to officially recognize the home as a historic landmark.

Mayor Pro-Tem Buckridge moved to adopt resolution 13-16 designating 733 5th Street Berthoud, Co (Culp House), as a Local Historic Landmark. Trustee Laak seconded the motion, and the motion passed 7:0.

Resolution-Website Disclaimer

The Towns IT Specialist Del Hunter addressed the Board to inform them of the necessity for a "Website Disclaimer and Privacy Policy" for the new Town of Berthoud's web site. He explained the disclaimer is needed because the site allows citizens to register for updates and file service requests. The disclaimer is needed to define the use of the site and use of information gathered by the site. A resolution was brought before the Board.

Trustee Hindman moved to adopt resolution 14-16 approving "Public Input Rules" for the Town website and social media accounts. Trustee Dunkelberger seconded, and the motion passed 7:0.

Emerald Ash Borer Update

Town Forester Josh Embrey updated the Board regarding the Emerald Ash Borer (EAB) and presented an EAB Management and Response Plan for approval as a working document for Town staff and as an educational tool posted to the Towns website. To date, the presence of EAB has not been detected in the Town of Berthoud. Topics Josh highlighted in the presentation included information on identification, infestation signs & symptoms, surveying efforts, and a treatment vs. removal and replacement proposal with costs. Also mentioned was a Replacement Tree Program for ROW ash trees. He recommended the Town donate one replacement tree per ash tree removed in the right-of-way. For details on requirements for receiving a replacement tree call Town Forester Josh Embrey at 970-532-1600 or visit the Departments/Forestry tab on the Towns' website.

Administrator Hart added that some testing and treatments have been done this year. Tree removal/replacement requires a stump grinder. To minimize costs they were able to purchase one with funds from the existing budget.

Trustee Hindman asked if the Town offers free assessments on right-of-way trees for homeowners.

Josh replied yes, they could call him at Parks and Recreation 970-532-1600. A licensed tree professional would need to be contacted for trees on private land.

Trustee Hindman commented that if we are giving away free trees for replacement maybe we could provide some assistance for treatment.

Trustee Baker agreed with Trustee Hindman about the assistance. She questioned if there is any grant money available.

Administrator Hart replied staff would look into it.

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Trustee Buckridge asked what an EAB predator would be.

Josh replied that studies are being done on a type of stingless wasp from Asia. Studies are ongoing and there is not enough data to come to a conclusion yet about introducing such insects to fight EAB. The idea is to introduce limited chemicals to slow the spread of the EAB.

Trustee Buckridge asked what the Town's costs were for the replacement trees.

Josh replied the cost is \$250 per tree plus approximately \$250 more if a contractor plants them.

Trustee Karspeck suggested inquiring if the Tree Committee could help homeowners identify ash trees. In addition, the list of licensed tree contractors needs to be checked to verify they work in our area. He inquired if the bulk price purchase would be available to homeowners.

Trustee Dunkelberger asked how you classify a mature tree.

Josh replied, generally it would be an 18" trunk. Other considerations are location, condition, canopy, and density. He also noted that he would need to look into whether or not a bulk purchase would be something homeowners would be able to take advantage of in partnership with the Town.

Trustee Laak noted the report had a cost for treatment of all 700 trees in the right-of-way and commented it will be helpful during budget discussions. He questioned what type of traps are used and what the costs are and if they can be set on private property.

Josh replied they use prism and funnel traps. We have 16 purple traps and will be getting more in the future. Getting homeowners permission to set traps on private property is something that can be looked into for the future.

Trustee Laak commented he would like to have a plan in place for what happens to the wood once tree removal starts. He suggested it be available to citizens for private use.

Administrator Hart replied notification through the website could be done.

Trustee Laak inquired if bulk treatment prices were available and if homeowners could be included for private trees.

Administrator Hart replied various finance options would be considered.

Mayor Mulvihill asked what the chances are that treated trees will survive and what the life expectancy of ash trees was.

Josh replied treatment will stabilize the population and is 98% effective and once started would need to continue for the life of the tree. Ash tree life expectancy is approximately 100-150 years and is taken into consideration when treatment decisions are made.

Mayor Mulvihill requested when the issue is brought to the Board again, figures that are more exact be provided to help when considering budgeting and subsidizing treatments for homeowners.

Parks and Recreation Director Jeremy Olinger added that the EAB Management and Response Plan is intended to provide best management practices for Town staff as well as residents. Ongoing community outreach programs to provide information include the Town's website, Berthoud Day booth, tree wrapping, Arbor Day presentation, newsletter, and Parks and Recreation brochure.

Tree Advisory Committee Chairman John Goreski informed the Board that he considers the EAB to be a catastrophe. In his view, the approximate 700 trees in the right-of-way should have a higher importance than the 118 trees in parks and open spaces. He voiced his concern that losing these trees would result in more water usage and runoff. In addition, cooling costs would go up and property values would go down. He would like the Town to do as much as possible to help homeowners protect Ash trees in public right-of-way.

Mayor Mulvihill suggested looking into the possibility of grants to help fund the protection of the trees. He mentioned he was contacted by a retired grant writer who would like to volunteer his services and would put him in contact with Mr. Olinger.

Reports

Trustee Laak reported sending a letter to urge GOCO (Great Outdoors Colorado) to participate in funding for Malchow Farm.

Trustee Karspeck reported going to the North I-25 Coalition meeting where they talked about having a third lane completed by 2020. He also mentioned going to an MPO meeting as well as Open Space and Tree Committee Meetings. He also participated in a monitoring night sky event.

Mayor Pro-Tem Buckridge reported receiving an application to the Historic Preservation Advisory Committee. He mentioned there are still two positions available.

Trustee Baker reported attending the MPO meeting in Evans where air traffic in the Front Range was discussed. She thanked all the communities who contributed funds to the Tiger Grant.

Trustee Hindman reported attending the Open Lands Advisory Meeting with Trustee Karspeck. The highlight was the announcement that Colorado Fish and Wildlife has successfully rescued and bred a genetically pure Greenback Cutthroat Trout and transplanted the species to a Larimer County Open Space location. He also attended the Farmers Market and the National Night Out in Berthoud put on by the police and fire departments. He mentioned there is a Chamber of Commerce After Hours event tomorrow evening in the Home State Bank parking lot. He mentioned signing up for the CML District meeting September 29, 2016.

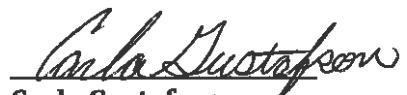
Administrator Hart mentioned planning for the Board retreat is coming up and advised two full days should be considered. He also mentioned both the Love's Travel Center and golf course have started the first phase of construction. As requested, he reported sending a letter to Larimer County Open Space in support of the Malchow Farm GOCO application.

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Mayor Mulvihill adjourned the meeting at 9:35 pm.



Mayor Steve Mulvihill



Carla Gustafson
Accounting Technician